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6
7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA
9

10 UNITED STATES OF AMERICA,) CASE NO. S 04-431 GEB
11)
12 Plaintiff,)
13)
14 v.) SUPERSEDING STIPULATION AND
15) ORDER TO CONTINUE STATUS
16 SCOTT K. AKERS,) CONFERENCE AND EXCLUDE TIME
17)
18 Defendant.)
19)
20)
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22)
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28)

29 The parties stipulate and agree that time beginning May 20,
30 2005 and extending through May 27, 2005 should be excluded from
31 the calculation of time under the Speedy Trial Act. The parties
32 submit that the ends of justice are served by the Court excluding
33 such time, so that counsel for the defendant may have reasonable
34 time necessary for effective preparation, taking into account the
35 exercise of due diligence, and so that the defendant may have
36 continuity of counsel. 18 U.S.C. § 3161(h)(8)(B)(iv). In
37 particular, counsel for the defendant needs more time to discuss
38 the plea agreement with the defendant. Counsel for the defendant
39 recently moved offices, and this resulted in difficulties in
40 receiving and analyzing documents sent by the government. Only
41 at this time is counsel for the defendant in a position to

1 discuss those documents with the defendant. The parties
2 stipulate and agree that the interests of justice served by
3 granting this continuance outweigh the best interests of the
4 public and the defendant in a speedy trial. 18 U.S.C. §
5 3161(h) (8) (A) .

6 The parties further request that this matter be taken off
7 calendar until May 27, 2005.

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10 Respectfully Submitted,

11 MCGREGOR W. SCOTT
12 United States Attorney

13 DATE: May 19, 2005

14 By: /s/ Matt Segal
15 MATTHEW D. SEGAL
16 Assistant U.S. Attorney

17 DATE: May 19, 2005

18 /s/ Joseph J. Wiseman by MDS
19 JOSEPH J. WISEMAN

20 **SO ORDERED.**

21 Dated: May 19, 2005

22 /s/ Garland E. Burrell, Jr.
23 GARLAND E. BURRELL, JR.
24 United States District Judge
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